S.B . CIVIL MISC. APPEAL NO.1298/2006
(Prakash Chandra V/s Chattar Singh)

Date : 08.05.2007

HON'BLE MR. P.B.MAJMUDAR, J.

Mr.Jagdish Vyas, for the appellant.
Mr.Jitendra Chopra, for the respondent.
Mr.Chattar Singh Parihar, present in person.

This appeal is preferred by the original owner of the vehicle in question, challenging the order passed by the Motor Accident Claims Tribunal, Udaipur by which the learned Tribunal has granted Rs.30,000/- in favour of the claimant – respondent herein for sustaining personal injury.

Today, both the learned Advocates have pointed out that they have amicably settled the dispute. The learned Advocate Mr. Chopra for the respondent submits that his client is present today in the Court and he has been informed by this client that he is willing to settle the matter in case the appellant is willing to pay in all Rs.21,000/- in place of Rs.30,000/- granted by the Tribunal.

The learned Advocate Mr. Vyas submits that he has already received consent from his client and his client has already deposited Rs.15,000/- and the amount deposited has been withdrawn unconditionally by the respondent. He has

submitted that his client is willing to deposit remaining Rs.6,000/- within two weeks from today and on such deposit, the claimant is entitled to withdraw the same that will be against the full and final settlement of the entire claim.

Now since the parties have already arrived at the settlement, the order of the Tribunal is modified by consent to Rs.21,000/- instead of Rs.30,000/- awarded by the Tribunal. It is agreed between the parties that on deposit of additional amount of Rs.6,000/- before the Tribunal within two weeks from today, the entire claim shall stand satisfied and there will be no further question of paying any amount in any manner including the interest on the awarded amount. It is ordered that within two weeks, the appellant shall deposit Rs.6,000/- before the Tribunal and the claimant will be entitled to withdraw the same unconditionally. This order is passed with the express consent of both the advocates and in case, the aforesaid amount is not deposited within two weeks, the appeal shall stand dismissed.

The appeal is accordingly disposed of in view of the settlement arrived at between the parties.

(P.B.MAJMUDAR), J.

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